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April 24, 2003

VIA FACSIMILE

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

RE: 2002 Biennial Review - Review of the Commission's Broadcast
Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the
Telecommunications Act of 1996 (MB Docket No. 02-277) and Related
Proceedings (MM Docket No. 01-235, MM Docket No. 01-317, MM
Docket No. 00-244)

Dear Chairman Powell:

On behalf of Capitol Broadcasting Company, Inc. (CBC) and as its third generation chief executive officer, I write to you with immense concern for the public and for the broadcasting community.

This has been a week of mixed emotions. First, it was with great pride that we filed comments in the digital television proceeding on Monday. Second, on Tuesday, it was with confusion and alarm that I read the letter to you from Robert Decherd of Belo Corp. (*See Appendix A.*)

The most disturbing line occurs when Mr. Decherd suggests raising the national television cap to 45% "in return for favorable Commission action on the 'right to reject' and affiliation agreement assignability matters raised in the pending NASA petition." I am perplexed. What does this mean? I am not a lawyer, but aren't these separate issues? Doesn't each need to be reviewed on its own merits or is this "let's make a deal?" I mean no disrespect to Mr. Decherd, you, or the Commission, but this ownership review will change what citizens in every community in America receive on their local news, sports, weather, and public affairs programs, as well as how they receive it, and it will determine the kind of national network programming that ultimately is available in their homes. This debate should not take place with deal making and concessions between a few major media companies and a government agency with appointed, not elected, officials.

During the course of this proceeding, a number of other occurrences have stunned, bewildered, disappointed, and disturbed me, including: the total disregard of the impact of the digital transition on these rules; the lack of discussion about the UHF discount, resulting in our current 35% cap actually being a 70% cap with one group owner already reaching

Page 2
The Honorable Michael K. Powell
April 24, 2003

over 61% of the nation's TV households; the mandatory June 2nd rush to judgment date; the reliance on twelve arguably incomplete surveys; the focus on corporate economic interests, with a general disrespect for the public interest, and on nationalism, not localism; the stringent reading of a court case that three times expresses that the court leaves room for the Commission to justify the national cap rule; and the disregard of the public's overwhelming opposition to relaxing the rules.

We at CBC support the public. We believe that more voices are better. We are not willing to trade or compromise the public's future interest for concessions that may benefit us financially.

We have listened to the public – the message is clear – preserve localism and diversity in ownership.

Best regards,

/s/ James F. Goodmon

James F. Goodmon

cc:

The Honorable Kathleen Q. Abernathy
The Honorable Michael J. Copps
The Honorable Kevin J. Martin
The Honorable Jonathan S. Adelstein
W. Kenneth Ferree, Chief of the Media Bureau
U.S. Congress:

Members of the Senate Commerce, Science and Transportation Committee (via hand delivery)

Members of the House Energy and Commerce Committee (via hand delivery)

Nancy Victory, Assistant Secretary, Department of Commerce and National Telecommunications and Information Administration